

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL NO. 659

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike “Criminal Procedure - Wiretapping - Exceptions for Out-of-State Interception” and substitute “Courts - Wiretapping and Electronic Surveillance - Admissibility of Evidence”; strike beginning with “allowing” in line 4 down through “communications” in line 11 and substitute “authorizing intercepted communications between certain persons or intercepted in another jurisdiction to be received into evidence in certain criminal proceedings under certain circumstances; and generally relating to admissibility of evidence of certain communications”; and in line 14, strike “, 10-407(c), and 10-408(i)”.

AMENDMENT NO. 2

On page 2, after line 4, insert:

“(B) THE CONTENTS OF AN INTERCEPTED COMMUNICATION, INCLUDING AN INTERCEPTION PROHIBITED UNDER THIS SUBTITLE, MAY BE RECEIVED INTO EVIDENCE IN ANY CRIMINAL PROCEEDING, IF SUCH COMMUNICATION WAS:

(1) INTERCEPTED BY AT LEAST ONE OF TWO OR MORE PERSONS WHO WERE A PARTY TO THE INTERCEPTED COMMUNICATION AND WERE NOT ACTING AS LAW ENFORCEMENT AGENTS AND THE INTERCEPTED COMMUNICATION IS RELEVANT TO A CRIME AT ISSUE IN THE PROCEEDING; OR

(2) INTERCEPTED IN ANOTHER JURISDICTION, AND THE INTERCEPTION WOULD NOT BE EXCLUDED IN A CRIMINAL PROCEEDING IN THE OTHER JURISDICTION.”.

On pages 2 and 3, strike in their entirety the lines beginning with line 5 on page 2 through line 36 on page 3.

On page 3, in line 37, strike “3.” and substitute “2.”.